

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHARLES E. HILL,

Plaintiff,

v.

MILWAUKEE COUNTY JAIL MEDICAL STAFF,
DODGE CORRECTIONAL INSTITUTION
MEDICAL STAFF, OSHKOSH CORRECTIONAL
INSTITUTION MEDICAL STAFF and
MANITOWOC COUNTY JAIL MEDICAL STAFF,

Defendants.

ORDER

98-cv-287-bbc

In an order dated July 27, 1998, I dismissed this case for plaintiff's failure to state a claim. Now plaintiff Charles Hill requests that the \$350 filing fee in this case be returned. The request will be denied.

As the name suggests, the \$350 fee is the fee for *filing* a case. Litigants whose cases are dismissed for failure to state a claim or for any other reason do not get their money back even if the case is dismissed at an early stage; they have received the service for which they paid, which is the filing of the complaint and the opening of a case. The fee covers the administrative costs incurred at the time of filing. Neither the Federal Rules of Civil Procedure nor any statute enacted by Congress authorizes a district court to refund a filing

fee in instances in which the filed case is closed following a ruling by the judge.

ORDER

IT IS ORDERED that plaintiff Charles Hill's request for a refund of the filing fee he paid in case 98-cv-287-bbc is DENIED.

Entered this 17th day of June, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge